

Express-Mail Label No.

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL (Small Entity)**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

WEBB 8

☐ **DUPLICATE** (Check box if applicable)

First Named Inventor

Examiner

Group/Art Unit

S. LAVI

J. WOITACH

1632

Address to:
Assistant Commissioner for Patents
Box CPA
Washington, D.C. 20231

This is a request for filing a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/029,479 filed on 21 OCT 1998 and entitled:

MANIPULATION AND DETECTION OF PROTEIN PHOSPHATASE 2C - PP2C alpha - EXPRESSION IN TUMOR CELLS FOR CANCER THERAPY, PREVENTION AND DETECTION

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
- a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. ☒ Small Entity Status:
- a. ☐ A small entity statement is enclosed.
- b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
6. ☒ The fee for this application is calculated as follows:

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	11	- 20 =	0	\$9.00	\$0.00
Indep. Claims	2	- 3 =	0	\$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$370.00
TOTAL FILING FEE					\$370.00

[Page 1 of 3]

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7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 502090

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☒ fees required under 37 C.F.R. 1.18.

8. ☐ A check in the amount of _____ is enclosed.

9. ☐ An Information Disclosure Statement (IDS) is enclosed:

- a. ☐ PTO-1449
- b. ☐ Copies of IDS Citations

10. ☐ Also enclosed:

11. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**NOTES**

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of Confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: 1 MAY 2002


Signature

D'VORAH GRAESER

Typed or printed name

40,000

Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record

cc:

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)			Docket No. WEBB 8			
In Re Application Of: LAVI						
Serial No. 09/029,479	Filing Date 21 OCT 1998	Examiner J. WOITACH	Group Art Unit 1632			
Invention: MANIPULATION AND DETECTION OF PROTEIN PHOSPHATASE 2C - PP2C ALPHA- EXPRESSION IN TUMOR CELLS FOR CANCER THERAPY, PREVENTION AND DETECTION						
<p style="text-align: center;"><u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u></p> <p>Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 1 OCT 2001 finally rejecting Claim(s) 49, 50 AND 65</p> <p>Applicant is a small entity under 37 CFR 1.9 and 1.27.</p> <p>A verified statement of small entity status under 37 CFR 1.27:</p> <p><input type="checkbox"/> is enclosed.</p> <p><input checked="" type="checkbox"/> has already been filed in this application.</p> <p>The fee for this Notice of Appeal is: \$160.00</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. A duplicate copy of this sheet is</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 502090</p> <p>A duplicate copy of this sheet is enclosed.</p> <p style="text-align: right;">Dated: <u>1 March 2002</u></p> <p>_____ Signature</p> <p>D'VORAH GRAESER REG NO 40,000 DR. D. GRAESER LTD. C/O THE POLKINGHORNS 9003 FLORIN WA UPPER MARLBORO MARYLAND 20713 USA</p> <p>CC:</p> <p>03/07/2002 PLINNER 00000006 502090 09029479</p> <p>160.00 CH</p> <table border="1"><tr><td>I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</td></tr><tr><td>_____ Signature of Person Mailing Correspondence</td></tr><tr><td>_____ Typed or Printed Name of Person Mailing Correspondence</td></tr></table>				I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	_____ Signature of Person Mailing Correspondence	_____ Typed or Printed Name of Person Mailing Correspondence
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